ENROLLED HOUSE
CONCURRENT
RESOLUTION NO. 1046

By: Hastings, Adair, Adkins, Armes, Askins, Balkman, Benge, Blackburn, Blackwell, Bonny, Boren, Braddock, Brannon, Calvey, Carey, Cargill, Case, Claunch, Coleman, Covey, Cox, Dank, Davis, Deutschendorf, DeWitt, Dorman, Eddins, Ellis, Ericson, Erwin, Ferguson, Gilbert, Graves, Greenwood, Hamilton, Harrison, Hefner, Hiett, Hilliard, Hutchison, Ingmire, Jones, Kirby, Lamons, Langmacher, Leist, Lindley, Liotta, Maddux, Mass, McCarter, McClain, McIntyre, Miller (Doug), Miller (Ray), Mitchell, Morgan (Danny), Morgan (Fred), Nance, Nations, Newport, O'Neal, Paulk, Perry, Peters, Peterson (Pam), Peterson (Ron), Pettigrew, Phillips, Piatt, Plunk, Pope, Reynolds, Rice, Roan, Roberts, Roggow, Smaligo, Smith, Smithson, Staggs, Stanley, Steele, Sullivan, Sweeden, Taylor, Tibbs, Toure, Trebilcock, Turner, Tyler, Vaughn, Walker, Wells, Wilson, Wilt, Winchester, Worthen, Wright and Young of the House

and

Smith of the Senate

A Concurrent Resolution relating to workers' compensation; expressing legislative intent of Enrolled Senate Bill No. 1414 of the 2nd Session of the 47th Oklahoma Legislature; and directing distribution.

WHEREAS, the Oklahoma Legislature in 1999 addressed the continuing problem of inadequate funding for the Multiple Injury Trust Fund, formerly the Special Indemnity Fund, by eliminating all future claims by workers' compensation claimants for an increase in disability resulting from a combination of injuries by amending Section 172 of Title 85 of the Oklahoma Statutes in Enrolled Senate Bill No. 680 of the 1st Session of the 47th Oklahoma Legislature; and

WHEREAS, recognizing the need for permanently and totally disabled claimants to be able to recover for an increase in disability resulting from a combination of injuries, the Legislature in 2000 again amended Section 172 of Title 85 of the Oklahoma

Statutes in Enrolled Senate Bill No. 1414 of the 2nd Session of the 47th Oklahoma Legislature, making the last employer liable for such an increase in disability resulting from a combination of injuries only if the combined injuries rendered the claimant permanently and totally disabled; and

WHEREAS, benefits for an increase in disability resulting from a combination of injuries when the claimant is not permanently and totally disabled are being awarded by the Workers' Compensation Court.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 49TH OKLAHOMA LEGISLATURE, THE SENATE CONCURRING THEREIN:

THAT it is the intent of the Oklahoma Legislature beginning with the passage of Enrolled Senate Bill No. 1414 of the 2nd Session of the 47th Oklahoma Legislature that no benefits shall be awarded for disability resulting from a combination of injuries when the claimant is rendered only permanently and partially disabled from the combined injuries;

THAT it is the intent of the Oklahoma Legislature beginning with the passage of Enrolled Senate Bill No. 1414 of the 2nd Session of the 47th Oklahoma Legislature that benefits shall be awarded for disability resulting from a combination of injuries only if the claimant is rendered permanently and totally disabled from the combination of injuries; and

THAT copies of this resolution be distributed to the judges of the Workers' Compensation Court and the Administrator of the Workers' Compensation Court.

Adopted by the House of Representatives the 19th day of April, 2004.

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Presiding Officer of the House of Representatives

Adopted by the Senate the 13th day of April, 2004.

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Presiding Officer of the Senate